

# REGULAR MEETING OF THE CITY COUNCIL

September 13, 1993

The Regular Meeting of the Annapolis City Council was held on Monday, September 13, 1993 in the Council Chamber. Mayor Hopkins called the meeting to order at 7:30 p.m. Alderman Turner offered the invocation followed by the Pledge of Allegiance.

Present on Roll Call: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Sachs, DeGraff, Turner, Moyer

Alderman Snowden arrived at 7:33 p.m.

Staff Present: City Attorney Hodgson, Planning and Zoning Director Fogarty, Public Works Director Patmore

Alderman DeGraff moved to approve the Minutes of 8/9/93 (Closed), 8/9/93 and 8/23/93. Seconded. CARRIED on voice vote.

Mayor Hopkins presented a Proclamation to Midshipmen 1/C Sean Fahey and Bill Darrenkamp declaring September 17 and 18, 1993 as "U.S. Naval Academy Midshipmen Appreciation Days".

## **PETITIONS, REPORTS AND COMMUNICATIONS**

Arthur Kungle  
P.O. Box 365  
Annapolis, Md. 21401  
Spoke regarding public transportation.

## **ACTION ON APPLICATIONS AND APPEALS**

**R-40-93** For the purpose of approving the application of J & A Builders, Inc. for a conditional use to establish a multi-family complex located at 936-938 Bay Ridge Avenue in the City of Annapolis, subject to certain conditions; and all matters relating to said conditional use.

Alderman Snowden moved to adopt R-40-93. Seconded. CARRIED on voice vote.

## **LEGISLATIVE ACTION**

1. **O-2-93** Sponsored by Mayor Hopkins

For the purpose of allowing the Planning and Zoning Commission to consider conformance with Chapter 21.98 in the review and action on subdivisions; and all matters relating to said conformance.

Alderman Snowden moved to adopt O-2-93 on second reading. Seconded. CARRIED on voice vote.

Alderman Snowden moved to adopt O-2-93 on third reading. Seconded. CARRIED on voice vote.

2. **O-11-93** Sponsored by Alderman Gilmer

For the purpose of establishing the Business Corridor Enhancement (BCE) District; and all matters relating to said District.

Alderman Snowden moved to adopt O-11-93 on second reading. Seconded.

Following discussion, Alderman Gilmer moved to table O-11-93. Seconded. CARRIED on voice vote.

There being no voiced objection, the order of the Agenda was amended to allow a Business and Miscellaneous item.

**BUSINESS AND MISCELLANEOUS**

1.     **R-43-93**             Sponsored by Alderman Gilmer

For the purpose of adopting the Central and Outer West Street Corridor Study; and all matters related to said Study.

Alderman Snowden moved to adopt R-43-93. Seconded.

Following discussion, Alderman Sachs moved to postpone consideration of R-43-93 to the October 11, 1993 meeting. Seconded. A ROLL CALL vote was taken:

YEAS:             Mayor Hopkins, Aldermen Hammond, Johnson, Sachs, Turner, DeGraff  
NAYS:             Aldermen Gilmer, Snowden, Moyer  
CARRIED:         6-3

The regular order of the Agenda was resumed.

**LEGISLATIVE ACTION**

2.     **O-11-93**             Sponsored by Alderman Gilmer

For the purpose of establishing the Business Corridor Enhancement (BCE) District; and all matters relating to said District.

There being no voiced objection, O-11-93 was brought back to the table.

Alderman Sachs moved to postpone consideration of O-11-93 to the October 11, 1993 meeting. Seconded. CARRIED on voice vote.

3.     **O-37-93**             Sponsored by Mayor Hopkins

For the purpose of amending the zoning classification of the rear, undeveloped portion of the larger Luskins site located along McGuckian Street in the City of Annapolis from B3 District to R2 District; amending the City of Annapolis Zoning District Map, accompanying the zoning ordinance approved December 30, 1974, codified in Title 21 of the Code of the City of Annapolis (1986 Edition and Supplement); and reclassifying the zoning classification for the aforesaid parcels; and all matters relating to said rezoning.

Alderman Snowden moved to adopt O-37-93 on second reading. Seconded. CARRIED on voice vote.

Alderman Snowden moved to adopt O-37-93 on third reading. Seconded. CARRIED on voice vote.

4.     **O-32-93**             Sponsored by Aldermen Hammond, Johnson

For the purpose of amending the provisions of the Historic District Ordinance; adding certain new definitions; modifying certain definitions; amending the composition and membership of the Historic District Commission; modifying the application for a certificate of approval; establishing new filing fees; modifying the standards for review of an application for certificate of approval; establishing new penalties for certain violations; establishing new requirements for signage; and all matters relating to said Historic District Ordinance.

Alderman Snowden moved to adopt O-32-93 on first reading. Seconded. CARRIED on voice vote.

Referred to the Planning and Zoning Commission and the Historic District Commission.

5.     **O-36-93**             Sponsored by Alderman Turner

For the purpose of authorizing the conveyance of all its rights, title and interest, if any, in and to a strip of ground, being a portion of an unimproved street known as Windsor Avenue, to the adjacent property owner whose property is contiguous to said parcel of ground; providing for the property to be sold at private sale; and all matters relating to said authorization.

Alderman Turner moved to adopt O-36-93 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

6.     **O-40-93**             Sponsored by Alderman Turner

For the purpose of authorizing the conveyance of all its rights, title and interest, if any, in and to a strip of ground, being a portion of an unimproved street known as Beale Street, to the adjacent property owner whose property is contiguous to said parcel of ground; providing for the property to be sold at private sale; and all matters relating to said authorization.

Alderman Turner moved to adopt O-40-93 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

7.     **O-41-93**             Sponsored by Alderman Moyer

For the purpose of authorizing the conveyance of all its rights, title and interest, if any, in and to a strip of ground, being a portion of an unimproved street known as Beach Avenue (now Horn Point Drive), to the adjacent property owner whose property is contiguous to said parcel of ground; providing for the property to be sold at private sale; and all matters relating to said authorization.

Alderman Turner moved to adopt O-41-93 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

8.     **O-42-93**             Sponsored by Alderman Moyer

For the purpose of deleting the grandfather clause regarding freestanding commercial signs, billboards and advertising structures or devices within the historic district; and all matters relating to said grandfather clause.

Alderman DeGraff moved to adopt O-42-93 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules Committee and the Historic District Commission.

9.     **O-43-93**           Sponsored by Mayor Hopkins

For the purpose of amending the PM Zoning District regulations; and all matters relating to said PM Zoning District.

Alderman Snowden moved to adopt O-43-93 on first reading. Seconded. CARRIED on voice vote.

Referred to the Planning and Zoning Commission.

10.    **O-44-93**           Sponsored by Alderman Snowden

For the purpose of requiring that all streets to be constructed in new subdivisions in the City of Annapolis shall be owned and maintained by the City of Annapolis and shall conform to City standards prior to conveyance to City ownership; and all matters relating to said streets.

Alderman Sachs moved to adopt O-44-93 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules Committee and the Planning and Zoning Commission.

11.    **O-45-93**           Sponsored by Alderman Gilmer

For the purpose of authorizing the Director of Public Works to direct the closure of certain streets at certain times to all but local traffic to enhance the residential nature of certain communities; and all matters relating to said the limited closure of certain streets in the City of Annapolis.

Alderman Snowden moved to adopt O-45-93. Seconded. CARRIED on voice vote.

Referred to the Rules and Public Safety Committees.

At the request of Alderman Hammond, O-45-93 was also referred to a special Mayor's Committee.

### **BUSINESS AND MISCELLANEOUS**

2.     **R-41-93**           Sponsored by Mayor Hopkins and Alderman DeGraff

For the purpose of granting relief of property taxes assessed against future improvements to the housing units undertaken by the new owners of the Bay Ridge Gardens Apartments; and all matters relating to said payment.

The Finance Committee reported favorably on R-41-93.

Alderman DeGraff moved to adopt R-41-93. Seconded. CARRIED on voice vote.

3.     **R-42-93**           Sponsored by Mayor Hopkins and Alderman DeGraff

For the purpose of approving the redevelopment and rehabilitation of rental housing at the Bay Ridge Gardens apartment complex, to be financed by the Community Development administration of the State of Maryland; and all matters relating to said redevelopment and rehabilitation.

Alderman DeGraff moved to adopt R-42-93. Seconded. CARRIED on voice vote.

4.     **R-44-93**             Sponsored by Mayor Hopkins and Alderman Hammond

For the purpose of imposing a moratorium on the processing of any application for the service of food or alcoholic beverages beyond 12:00 Midnight; and all matters relating to said moratorium.

Following discussion, Alderman Hammond moved to postpone consideration of R-44-93 to the September 27, 1993 meeting. Seconded. CARRIED on voice vote.

5.     Agreement between Port of Annapolis, Inc., Historic Annapolis, Inc. and the City of Annapolis regarding Maynard-Burgess House located at 163 Duke of Gloucester Street.

The Finance Committee reported favorably on the Agreement.

Alderman Hammond moved to approve the Agreement between Port of Annapolis, Inc., Historic Annapolis, Inc. and the City of Annapolis regarding Maynard-Burgess House located at 163 Duke of Gloucester Street. Seconded. CARRIED on voice vote.

6.     Final Record Plat - Merry Court

Alderman Gilmer moved to approve the final record plat of Merry Court. Seconded. CARRIED on voice vote.

7.     Risk Management Committee Minutes of 8/18/93

Alderman Snowden moved to adopt the Risk Management Committee Minutes of 8/18/93. Seconded. CARRIED on voice vote.

8.     Rules Committee Minutes of 8/30/93

Alderman Snowden moved to adopt the Rules Committee Minutes of 8/30/93. Seconded. CARRIED on voice vote.

9.     Finance Committee Minutes of 9/2/93

Alderman Hammond moved to adopt the Finance Committee Minutes of 9/2/93. Seconded. CARRIED on voice vote.

10.    Payment of monthly bills

Alderman Hammond moved to pay the monthly bills. Seconded. CARRIED on voice vote.

11.    Appointments

Alderman Gilmer moved to confirm the Mayor's appointments of the following named persons as set forth in Memoranda from Mayor Alfred A. Hopkins dated 8/5/93, 8/16/93, 8/19/93, 8/26/93 and 8/30/93:

Civil Service Board

James R. Renfroe

Transportation Advisory Board

Edward J. Scullen

Port Wardens

Mary Louise Davis

Housing Authority

Joseph W. Sterling

Human Relations Commission

Burton R. Thorman

Commission on Aging

Hazel Miles

Ethics Commission

David Z. Earle

Seconded. CARRIED on voice vote.

12. Legal Fees - Union contract negotiations

Alderman Snowden moved to place a "cap" on legal fees expended by the City of Annapolis to the law firm of Piper and Marbury on labor negotiations as set forth in a memorandum with attachments from Jonathan A. Hodgson, City Attorney to the Mayor and Aldermen dated 9/13/93. Seconded. CARRIED on voice vote.

13. Closed Meeting

Alderman Moyer moved to have a closed meeting on September 27, 1993 immediately following the Special City Council Meeting in the City Council Chamber under Annotated Code of Maryland Section 10-508(a)(9):

Conduction of collective bargaining negotiations or consideration of matters that relate to the negotiations.

Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Sachs,  
Snowden, Turner, DeGraff, Moyer

CARRIED: 9-0

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:15 p.m.

Patricia L. Bembe, CMC/AAE  
City Clerk